

DECISION



**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

MORROW

FILE: B-211335

DATE: May 19, 1983

MATTER OF: Aaron Refrigeration Services

DIGEST:

Protest against procuring activity's
refusal to furnish invitation for bids
is untimely when filed after bid opening.

Aaron Refrigeration Services protests that
Davis-Monthan Air Force Base refused its request to be
furnished invitation for bids (IFB) No. F02601-83-B0015.

We dismiss the protest.

Our Bid Protest Procedures require that a protest
against alleged improprieties in an IFB solicitation be
filed before the bid opening, 4 C.F.R. § 21.2(b)(1)
(1983). This requirement applies to a procuring activity's
failure to furnish a solicitation. Security Assistance
Forces & Equipment OHq, B-201839, December 31, 1981, 81-2
CPD 516. For protests filed with us, the term "filed" in
the requirement means receipt in our Office. Shell Computer
Systems, Inc., B-203986, July 23, 1981, 81-2 CPD 58. The
bid opening date for the IFB was April 1, 1983, but the pro-
test sent by certified mail on March 29, 1983, was received
in our Office on April 4, 1983. Therefore, the protest is
untimely and will not be considered on the merits.

F. H. Barclay, Jr.
For Harry R. Van Cleve
Acting General Counsel

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